

REMARKS

In response to the Office Action mailed February 18, 2009, (hereinafter the Action) Applicant respectfully requests that the Examiner consider the preceding amendments and the following remarks and reconsider and kindly withdraw all outstanding objections and rejections. Upon entry of the foregoing amendments, claims 1-5 and 7-10 remain pending in the application, with claims 1, 7, and 9 being the independent claims.

Claim 4 is *currently amended* to now even more clearly claim Applicant's claimed invention to address the Examiner's concerns. Applicant believes that no new matter has been introduced.

I. Claim objections

On page 3 of the Action, the Examiner has objected to claim 4. Applicant has amended claim 4 to address the Examiner's concerns. Claim 4 is now amended for clarity by amending "by the calculation result" to "by the MG the calculation result." Applicant respectfully requests that the Examiner withdrawn this objection.

II. Claim rejections under 35 U.S.C. § 101

Beginning on page 3, the Examiner has rejected claims 1-5 and 7-8 under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention. Applicant respectfully disagrees.

First, the Media Gateway (MG) and Media Gateway Controller (MGC) are machine entities in the Next Generation Network (NGN). As shown in paragraph 0002 of the published specification, the MGC communicates with the MG using Media Gateway Control Protocol (MGCP), H.248 protocol, or other protocols. Claims 1-5 and 7-8 are directly tied to the MGC and

the MG in the NGN network. In other words, claims 1-5 and 7-8 are positively tied to a particular machine that accomplishes the claimed method steps. According to In Re Bilski 88 USPQ2d 1385, claims 1-5 and 7-8 fall within the statutory categories of invention.

Additionally, the method of claims 1-5 and 7-8 cannot be performed mentally, as claims 1-5 and 7-8 are limited to an authentication technology for network security which is particularly tied to a machine in the NGN network such as the MGC and MG machines.

Since claims 1-5 and 7-8 are tied to a particular machine that accomplishes the method steps, claims 1-5 and 7-8 are patentable under § 101. Thus, Applicant respectfully requests Examiner withdraw this rejection.

On page 4, the Examiner has rejected claims 9-10 under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention. Applicant respectfully disagrees.

The MGC in claims 9-10 is a machine entity in the Next Generation Network (NGN), not a protocol. To be sure, there is a protocol named MGCP, which is adopted between MGC and MGs. This is well-known to a person having ordinary skill in the art, for example, in the section “3.2 abbreviations” (page 2) and section “A.3 Media Gateway Control Protocol” (page 40) of TELECOMMUNICATION STANDARDIZATION SECTOR, INTERNATIONAL TELECOMMUNICATION UNION, SERIES J: CABLE NETWORKS AND TRANSMISSION OF TELEVISION, SOUND PROGRAMME AND OTHER MULTIMEDIA SIGNALS – IP CABLE COM TRUNKING GATEWAY CONTROL PROTOCOL (TGCP), J.171 (Feb. 2002), which can be obtained from “<http://www.itu.int/rec/T-REC-J.171/en>” and is submitted concurrently with this amendment in an Information Disclosure Statement.

Thus, claims 9-10 are tied to a particular machine that accomplishes the method steps and are patentable under § 101. Applicant respectfully requests Examiner withdraw this rejection.

III. Claim rejections under 35 USC § 103

Beginning on page 4, the Examiner rejects claims 1, 4, 5, and 7-10 under 35 USC 103(a) as being unpatentable over US6961857 (Floryanzia) in view of US6353891B1 (Borella).

It is respectfully submitted that claim 1, 7, and 9 are patentable over Floryanzia in view of Borella. Claim 1 recites, inter alia, “configuring a Media Gateway (MG) with an authentication key and setting a security data package on a network protocol, by a Media Gateway Controller (MGC).” Here, the MGC authenticates and determines the legality of any access and configures information (i.e., an authentication key and a security data package) in the MG. The authentication process is controlled by the MGC through communication between the MGC and MG.

Floryanzia fails to disclose the configuring step before initiating an authentication request. In Floryanzia column 3, lines 54-67 and column 2, lines 49-60, as the Examiner pointed out, discloses that “a Gateway sends an Access Token in all Registration Request messages . . . [then] the Gatekeeper formats a message to an authentication server that will authenticate the information contained in the Token, and the server responds with either Access-Accept or Access-Reject message.” Floryanzia is clearly describing that the message containing Access token sent by the gateway is a request to authenticate the Gateway to the Gatekeeper and **not** configuring an MG with an authentication key and setting a security data package as described in claims 1, 7, and 9.

Beginning in column 8 line 56, Borella discloses a first step of having a host device send a registration request to a gateway device. Then, the gateway device responds with a series of parameters. As with Floryanzia, an authentication key is **not** sent to the host device.

In view of the above, it is submitted that no reasonable combination of Floryanzia and Borella could possibly result in the inventions of claims 1, 7 and 9 since neither of these documents teach, disclose or otherwise suggest configuring the MG, by the MGC, with the authentication key and a security data package as recited by these claims. Specifically, no combination of Floryanzia or Borella teaches or suggests the configuring step before initiating an authentication request. Thus, no combination of Floryanzia or Borella teaches or suggests performing the configuring and setting function of claims 1, 7, and 9.

Dependent claims 4, 5, 8, and 10 depend from one of independent claims 1, 7 or 9, and are therefore submitted to be patentable over the combination of Floryanzia and Borella for at least the reasons given above for claims 1, 7, and 9.

Beginning on page 7 of the Action, the Examiner rejects claims 2-3 under 35 U.S.C. § 103 as being unpatentable over Floryanzia and Borella in further view of US 20020120760 (Kimchi). Applicant respectfully disagrees.

The Examiner argues that Floryanzia and Borella teach the authentication method of claim 1. Applicant disagrees. For at least the reasons discussed above, claim 1 is patentable over Floryanzia and Borella. Kimchi does not overcome the deficiencies in Floryanzia and Borella and no combination of Floryanzia, Borella, and Kimchi teaches or discloses all elements in claim 1.

Therefore, claims 2 and 3, both dependent from claim 1, are patentable over Floryanzia, Borella, and Kimchi for at least the reasons given above for claim 1.

Applicants respectfully submit that Floryanzia in view of Borella and Kimchi fail to teach or suggest all of the elements of pending claims 1-5 and 7-10. Therefore, all pending claims are in submitted to be in condition for allowance.

IV. Conclusion

All of the stated grounds of rejection have been properly traversed. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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